

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

CASE NO. CR12-133-RSM

Plaintiff,

ORDER MEMORIALIZING
ORAL RULINGS ON PENDING
PRE-TRIAL MOTIONS

MARK F. SPANGLER.

Defendant.

After consideration of the six pending pre-trial motions in this matter, the

memoranda supplied in support and in opposition, the oral argument presented, and the remainder of the record, the Court memorializes the following oral rulings issued during the October 7, 2013 hearing:

(1) Defendant's Motion to Strike Surplusage and Motion in Limine to Exclude Evidence (Dkt. # 59) is DENIED;

(2) Plaintiff's Motion to Exclude Expert Testimony, or for Pre-Trial Daubert Hearing (Dkt. # 65) is GRANTED IN PART and DENIED IN PART. The testimony of

1 John Keller shall be excluded. The testimony of Peter Brous and Jennifer Johnston shall
2 not be excluded.

3 (3) Defendant's Motion in Limine Regarding Witnesses Smith, Rutherford, and
4 Budge (Dkt. # 66) is DENIED;

5 (4) Plaintiff's Motion in Limine (Dkt. # 68) is GRANTED;

6 (5) Defendant's Motion in Limine to Exclude Impact of Loss (Dkt. # 71) is
7 GRANTED;

8 (6) Defendant's Motion to Allow Late Filing (Dkt. # 72) is GRANTED.

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11 DONE this 9 day of October, 2013.

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14 RICARDO S. MARTINEZ
15 UNITED STATES DISTRICT JUDGE
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